

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff;

v.

COMMONWEALTH OF PUERTO RICO, ET
AL.,

Defendants.

No. 12-cv-2039 (GAG)

**JOINT MOTION SEEKING ENTRY OF THE STIPULATION FOR THE
ESTABLISHMENT OF THE TCA OFFICE AND THE PAYMENT OF TCA EXPENSES
AS AN ORDER AND FOR LEAVE TO FILE EXHIBIT IN SPANISH**

Plaintiff, United States of America, and Defendants, Commonwealth of Puerto Rico, et al. (collectively, the Parties), respectfully move this Court for approval and entry of the attached, “Stipulation for the Establishment of the TCA Office and the Payment of TCA Expenses” (Stipulation) as an order, and for leave to file Exhibit 1 to the Stipulation in its original Spanish language.

On June 5, 2014, the Court approved the Parties’ selection and appointed Arnaldo Claudio as Technical Compliance Advisor (TCA) under the Agreement for the Sustainable Reform of the Puerto Rico Police Department (Agreement). Dkt. #124. The Court ordered that “the terms and conditions of engagement of the TCA shall be determined by the Puerto Rico Department of Justice ... and the United States Department of Justice.” Id. at 1-2. The Court also instructed that neither the TCA, nor his staff, will be under contract with the Parties and that the TCA will serve as an officer of the United States District Court for the District of Puerto Rico for the purposes of implementing the Agreement. Id. at 2. The TCA’s compensation is to be paid by the Court from funds deposited with the Clerk of the Court by the Commonwealth. Id.

In compliance with this Court's June 5, 2014, Order, the Parties have agreed upon the attached Stipulation establishing the terms of the TCA's engagement. The Stipulation provides, *inter alia*, that: (1) the TCA and his employees, agents, and contractors will abide by the duties, responsibilities, and authority outlined in the Agreement and by the canons of the Code of Conduct for Judicial Employees, including ethics, confidentiality, conflicts of interest, and limits on partisan political activities; (2) the Puerto Rico Department of Justice and the Puerto Rico Police Department (PRPD) will provide the TCA with permanent office space and reasonable office support; (3) the Commonwealth will provide an initial allocation of resources to assist in the start-up of the TCA Office and to cover expenses from the TCA's appointment date of June 6, 2014; (4) the TCA will submit an annual budget to the Parties, who will negotiate in good faith with the TCA to agree upon a final budget that will be filed with the Court each year; (5) the Commonwealth will deposit with the Clerk of the Court sufficient funds to cover the TCA Office's approved annual operating budget; (6) the TCA Office's annual budget shall be \$1,600,000 for the period June 6, 2014 to June 30, 2015, but shall not exceed \$1,500,000 during the next three operating budget years, except in extraordinary circumstances; and (7) the Parties will review and approve monthly invoices submitted by the TCA to the Court for payment and reimbursement, in accordance with specific guidelines incorporated in the Stipulation. Exhibit 1 of the Stipulation includes a list of initial furniture, equipment, and supplies provided by PRPD to the TCA to facilitate in the start-up of the TCA Office.

The Parties respectfully request that this Court approve and enter the Stipulation as an order to effectuate the terms and conditions of the TCA's engagement and promote the ethical, fiscally-responsible, and independent operations of the TCA Office in furtherance of the Agreement for the Sustainable Reform of the Puerto Rico Police Department. Dkt. #60.

The Parties also respectfully request leave to file Exhibit 1, “Materiales Entregados a la Oficina del Asesor de Cumplimiento Tecnico,” in its original Spanish language. The document consists primarily of an inventory list of furniture, equipment, and supplies provided to the TCA to assist in the start-up of the TCA Office. The filing of the document in Spanish will not prejudice the Parties or the TCA and will conserve public funds. Pursuant to Local Rule 5, the Parties stipulate that no certified translation of Exhibit 1 is necessary.

WHEREFORE, the Parties respectfully request that the Court approve and enter the Stipulation as an order and grant leave to file the inventory list in Exhibit 1 in its original Spanish language.

Respectfully submitted,

FOR PLAINTIFF UNITED STATES:

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on this 26th day of June 2014, with the Clerk of Court using the CM/ECF System, which will provide notice of such filing to all registered parties.

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